

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

WRIT PETITION (C) NO.252 OF 2004

SUBHAS DATTA

Appellant (s)

VERSUS

UNION OF INDIA

Respondent(s)

(With office report)

Date: 12/08/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE G.P. MATHUR

For Appellant(s)

In-person

For Respondent(s)

Mr. Amarjit Singh,ASG.

Mr. Mohan Parasaran,ASG.

Mr. S.W.A. Qadri,Adv.

Mr. V.K. Verma,Adv.

UPON hearing counsel the Court made the following

O R D E R

The concern in this writ petition is about the protection of t

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antique and other objects of historical importance of the country. The petitioner has referred to various instances highlighting the manner in which the antiques and the said objects have disappeared. The petitioner seeks a comprehensive technically feasible security arrangement for the protection of all historical objects preserved at different centres/places in the country and for engaging a special protection force,

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- 2 -

like, Border Security Force, Central Industrial Security force, Railway Protection Force, etc., for safeguarding the said objects and proper investigation into the incidents of theft and damage. One of the directions sought for by the petitioner is for making of an inventory of all the historical objects and keeping it at a designated central location for the purpose of better control and verification.

Along with the counter affidavit, the respondent-Ministry of Culture has filed general recommendations, guidelines and procedure for museum security. Specific recommendations of minimum security measures for the museum under the control of the Ministry of Culture for the year 2005-2006 have already been placed on record. But what has not been placed on record is the implementation of either the general recommendations and guidelines or the specific recommendations. We, therefore, direct that the Ministry shall file a better and detailed affidavit placing on record about the implementation of the recommendations and the result, if any, achieved on the implementation of the recommendations, if the same are part of it, which have been recommended.

Apart from the directions sought for engaging or making of a special protection force, as noted above, it has been submitted by the petitioner that physical verification should be conducted periodically by an outside reputed agency as in his view the verification done by the inside agency has not been much fruitful. The danger of verification by an inside

agency is to protect themselves or their colleagues. This suggestion requires to be seriously considered by the Ministry and its view-point be filed in the affidavit. The Ministry would also consider the aspect of giving specialised

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- 3 -

training in respect of security to those on whom lies the responsibility of securing these objects. The affidavit shall be filed within six weeks.

List the petition after eight weeks.

[ T.I. Rajput ]

[ Prem Prakash ]

Court Master

Court Master